

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CASE NO. 18-cr-00087-01

VERSUS

CHIEF JUDGE HICKS

BRYAN THOMAS ROBINSON (01)

MAGISTRATE JUDGE HORNSBY

**MEMORANDUM O R D E R**

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections having been filed, and concurring with the findings of the Magistrate Judge under the applicable law;

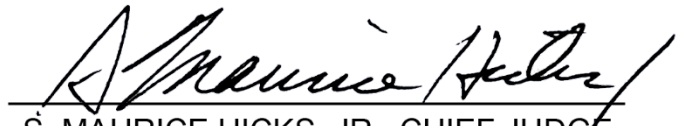
**IT IS ORDERED** that Defendant's **Motion to Suppress (Doc. 22)** is **denied**.

Defendant has attached "enhanced audio" of the police stop to its Objections to the Report and Recommendation (Record Document 30). The Court will not consider this "enhanced audio." If Defendant thought that the audio should be presented in an enhanced form, he could have done so at the hearing on the Motion to Suppress held by the Magistrate Judge. By presenting the audio for the first time in its objections to the Report and Recommendation, Defendant deprives the Government of the opportunity to cross-examine witnesses as to its authenticity and reliability. Additionally, even if the Court were to consider the "enhanced audio," it would not change the outcome.

Magistrate Judge Hornsby found that the Defendant was properly Mirandized. See Record Document 29. His findings were based on testimony from the arresting police

officers, whom he found to be credible. See Record Document 29 at 2 & 3. Additionally, he based his findings on portions of the audio of the police stop which corroborated the officers' testimony. See id. at 4. The Court hears nothing in the "enhanced audio" that would cause it to overturn the Magistrate Judge's findings.

**THUS DONE AND SIGNED** at Shreveport, Louisiana, this 12th day of October, 2018.

  
S. MAURICE HICKS, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT